

YMCA Geelong – Photography and Filming Policy



OFFICE USE ONLY

Policy Number	Date Approved	Date Last Amended	Status
YG 173-O	28/08/2017	28/08/2017	APPROVED

1. PHOTOGRAPHY AND FILMING POLICY

2. INTRODUCTION

YMCA Geelong is a child safe organisation and upholds a commitment to ensure the collection and use of participant photographs and/or film in YMCA;

- protects the personal information of individuals
- respects the individual's right to control how and for what purpose their personal information is used
- complies with the relevant legislation requirements.

3. POLICY

3.1 Policy Statement

YMCA management and employees must:

- Advise parents/guardians when photographs and/or film are to be taken and how they will be stored and used and published- this will be provided in enrollment material, accessible on YMCA Geelong website or collected and recording on booking into classes.
- Provide parents/guardians with the choice to withhold or withdraw consent for their child to be photographed or filmed at the time of booking with the service or program.
- From time to time YMCA will check that the Photo/Film release authority or request updated information from parents or guardians.
- It is the parent and guardian's responsibility to inform the YMCA staff if they wish to change the status of the photo/film release throughout the time they are participating in the services. Requests to change must be in writing to the geelong@ymca.org.au.
- Control and manage how and when others (third parties) collect and publish photographs and/or film of students
- Consider whether to allow parents/guardians to photograph or film their children participating in events, competition or performances.
- If a professional photographer is engaged by the YMCA they will be asked to sign a Confidentiality Deed prior to being permitted to taking photographs.

- Only YMCA authorised employees will be provided permission to take photos or video in YMCA facilities or at authorised competitions for the purposes outlined in clause 3.3.
- Images and filming used by the YMCA and third parties will be monitored to ensure that meeting the aims and objective of our Safeguarding Children and Young People Policy and Procedures, Australia Childhood Foundation Safeguarding Children Accreditation & YMCA values.
- YMCA will not publish full names of people in the images unless consent has been received by Parents/Guardians or participants.
- Images collected by YMCA are the property of the Association and individuals contained in the images have no ownership rights of such images.
- YMCA retains the right to publish images of consenting individuals, guardians, parents in endorsed mediums and promotional material as outlined in Clause 3.3.

3.2 Photographs and film

Photographs, video or digital images of a participants are considered “personal information” and therefore their use and disclosure are governed by the Information Privacy Act 2000 (Vic) (IP Act) and the Information Privacy Principles contained within it. Photographs, video and digital images of participants may also contain copyright, and therefore may also be governed by the Copyright Act 1968 (Cth) (Copyright Act).

3.3 Collection, use and disclosure by the YMCA

To comply with the Information Privacy Act, consent will generally be required from parents/guardians/Participant before the YMCA can collect and use photographs and film.

This table summarises what documentation is required to enable YMCA to collect, use and disclose photographs, video and digital images in certain circumstances.

Collection type	YMCA Use	Disclosure to third parties	Documentation required
Digital images, filming- Teams, Individuals, Programs or events endorsed by YMCA Geelong	<ul style="list-style-type: none"> • Storage on YMCA Extranet • Member Cards • Staff Cards • Website • YMCA approved Facebook pages of the CEO, Geelong, Bannockburn, Camp Wyuna or another's created from time to time. • Annual reports • Marketing material for program promotions • Internal and external Newsletters and electronic direct mail (eDM) • Media Releases and media outlets 	Parent/ guardians on enrolment or booking	<p>YG 173-O Photography and Filming Policy</p> <p>Consent recorded on booking system LINKS, QuickKids, VENUE 360, FIXI or any other systems introduced from time to time.</p> <p>Standard Photo Release Form- to be used where photo libraries are being developed with external talent or non YMCA program participants.</p>
Official Photography/ Videoing	<ul style="list-style-type: none"> • As above • Available for sale at events 	Parent/ guardians on enrolment or booking	<p>Consent recorded on booking system LINKS, QuickKids, VENUE 360, FIXI or any other systems introduced from time to time.</p> <p>Standard Photo Release Form- to be used where photo libraries are being developed with external talent or non YMCA program participants.</p>
Gymnastics Competition Photos, Digital Images and Video footage	<ul style="list-style-type: none"> • YMCA Geelong Website • YMCA Geelong or associated Facebook pages ie: 	Parent/ guardians on enrolment or booking or becoming a member of YMCA Geelong Gymnastics Club	Consent recorded on booking system LINKS, QuickKids, VENUE 360, FIXI or any other

	CEO, Geelong , Newtown, Bannockburn Camp Wyuna		systems introduced from time to time. Employees authorised by YMCA Geelong to take images on personal or work supplied mobile devices for the purposes of authorised promotions and reporting results, must upload the photos to the websites, social media platform and immediately delete them from the device.
Closed Circuit TV	<ul style="list-style-type: none"> • Detect and monitor vandalism, or criminal activities on YMCA premises • Monitor health and safety of facility users and employees 	<ul style="list-style-type: none"> • Police investigations • Insurance Investigations or other legal requirements 	Compliance with legislation including <i>Surveillances Devices Act 1999 (Vic)</i>

3.4 Third Party Photography and Filming at YMCA facilities

YMCA also have a responsibility to ensure that photographs, video and digital images taken on YMCA premises by third parties during operating hours and at YMCA endorsed or approved activities.

This table summarises what documentation is required to enable **third parties to collect photographs, video and digital images in these circumstances.**

Third party	Documentation required
<p>Parents / guardians/participants</p>	<p>Photography and Filming of people is only permitted with <u>prior agreement from Management.</u></p> <p>If permission is granted a number of restrictions will be put in place;</p> <ul style="list-style-type: none"> • Images must not be collected of other children or members of the community that have not expressly consented to their images being taken and/or published. • In competition settings ie: Gymnastics- <u>Flash photography is prohibited</u> at all Gymnastic Victoria and YMCA events • With exception to professional photographs and videos, <u>no digital SLR camera and or lenses of a professional standard</u> can be used within the confines of Gymnastics Victoria event venues or the YMCA facilities. • Permitted photographs by third parties (parents/spectators etc must be taken from the spectator areas. • Unless permission is granted in writing- the YMCA No Photography/Filming policy will be implemented as it seeks to protect the privacy of individuals in the YMCA facility.
<p>Official Photographer</p>	<p>Confidentiality Deed signed before commencing</p>
<p>User Groups/Hire Groups – this include all organisations or groups that hire YMCA facilities. Ie: Gymnastics Victoria Competitions</p>	<p>User groups are required to have their own Photography/Filming Policy accessible to the public via website and on display in the facility entrance and notice board at all times that they hire /use a YMCA facility for an event or activity.</p>

	<p>Facility managers will request to have a copy of the User group/Hire Group Photography/Filming Policy in file at the time of booking.</p> <p>If the User/Hire groups <u>do not have a Photography/Filming Policy and or do not have on display at the entrance to the facility their policy</u> the YMCA Geelong Photography /Filming Policy will be govern the photography and filming in our premises.</p>
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3.5 Commercial usage of images

Professional photographers commissioned by YMCA Geelong to sell images, may place images with participant names on their websites to enable participants to view and purchase photographs or videos. Such sites must not be accessible for the general public viewing.

3.6 Obtaining permission to take photographs and film at events

3.6.1 Parents and Guardian must seek permission for any photography or filming in YMCA facilities prior to undertaking the activity.

This can be done in writing or verbally with the facility manager.

The facility manager will provide a list of guidelines as outlined in Clause 3.4 that must be adhered to at all times if permission is granted.

3.6.2 In the event that the YMCA facility is hired to an external user group or hire group they MUST have on display their organisations Photography and Filming Policy in the absence of one on display the YMCA Geelong Policy must be adhered too.

3.6.3 Where permission has been granted for photography and filming at an event a public announcement must be made to this effect;

“YMCA Geelong is giving parents/guardians that ability to photograph or film at (INSERT EVENT NAME) today.

Images of your children only are permitted.

Flash photography is prohibited

No digital SLR camera and or lenses of a professional standard.

Permitted photographs by third parties (parents/spectators etc. must be taken from the spectator areas.”

3.7 Notification of Photography and Filming at YMCA events

3.7.1 At all YMCA events including but not limited to presentations nights, award nights, sport displays, finals, tournaments, competitions, championships, carnivals, social events etc that are conducted in YMCA facilities or sanctioned events or where ever and whenever photography or filming may occur the following must occur;

a. A notice MUST be placed at the venues entrance that outlines the Photography and Filming requirements for the event;

“During the (INSERT NAME OF EVENT) your images will be captured by a YMCA Official photographer in digital images and film and may be used in YMCA promotional material including but not limited to websites, social media channels; facebook, instagrams, promotional materials. If you do not wish to have your images recorded please identify yourself to the YMCA official photographers or Management on your arrival.”

b. Where a public address is required such as events, competitions etc the announcer must make the following announcement for each session or when people arrive and throughout the event;

“During the (INSERT NAME OF EVENT), the YMCA will be taking photographs and filming. Your images will be captured by our photographers in digital images and film and may be used in YMCA promotional material including but not limited to websites, social media channels; facebook, instagrams, promotional materials. If you do not wish to have your images recorded please identify yourself to the YMCA official photographers who have a YMCA lanyard or Management.”

3.8 Process for Opting out of Photography or Filming

3.8.1 In making themselves known to the Official Photographer or Management the non-consenting participant/ parent/guardian must place in writing their request to be excluded from any photography and filming and must notify the photographer and duty managers of this request asap.

3.8.2 In order to identify the non-consenting participant, YMCA Geelong may ask to take a photo of them so that they can clearly ensure that the image does not appear in any publications.

3.8.3 Non- consent may also be provided at the time of joining the Club, booking or enrolment either in person or over the phone.

3.8.4 The YMCA employee must record the non –consent to Photography or Filming in the approved management system (LINKS/ QUICKKIDS/FIXI/Key Pay etc) and provide the immediate supervisor/ Coach/Instructor with a roll that outlines that an individual is not to have their photos recorded. The immediate supervisor/ Coach/Instructor and any replacement staff must be notified in writing and in person of this requirement.

3.8.5 If a file record of an individual on a YMCA management system does not have either an authorisation to take images or a non authorisation checked then the YMCA will take this as a non-consent and must get consent before an image is collected or used.

3.9 Reporting of unauthorised photography & filming

3.9.1 YMCA employees and officers have a responsibility to ensure the Policy is being implemented as it is intended and will ask patrons and visitor to the facilities that are taking photos or filming to see the permission to film authorisation. Please do not be offended if you are asked to show this, they are doing their jobs.

3.9.2 If there is suspicious photography or filming we ask that employees and guests report the following information to the Duty Manager;

- Name of person (If known)
- Location the person was in when filming (Ie: floors, Mezzanine area, Foyer, etc)
- And any other features such as clothing, club uniform, time etc

3.9.3 YMCA personnel will advise the individual that a compliant has been made regarding suspected unauthorised photography or filming.

3.9.4 The individual has the opportunity to respond to the claim and present devices for viewing by the YMCA representative

3.9.5 If the YMCA are unsatisfied with the response, they may ask the individual to refrain from taking of images, ask them to delete the images or ask them to leave the facilities.

3.9.6 The YMCA management decision is final. If the request to leave the facility is not respected then the YMCA will contact the Police or facility security.

4. DEFINITIONS

Procedural Fairness	A legal concept concerned with fair and proper processes being utilised by a decision-maker in order to determine an outcome.
Photography	Photography includes but not limited to still cameras, mobile phones, mobile devices such as laptops, note books, ipads, Gro Pros etc or any form of device that captures still images.
Filming	Filming includes but not limited to Video cameras, mobile phones, mobile devices such as laptops, note books, ipads, Gro Pros etc, or any form of device that captures moving images.
Authorised or Official Photographer	YMCA approved photographer or employee who has been granted permission to take photos or video of programs, events, functions activities, participants etc. The images captured below to YMCA Geelong and will be stored on YMCA Extranet. Have a valid Police Record Check and Work with Children Check Card Recognised by YMCA uniform or name tag or lanyard with official photographer identified

Consent	Consent to photography and filming may take the form of Parent/Guardian written, verbal or otherwise collected and includes the collection using a third party software system.
Management	Management refers to the Manager of the facility.
YMCA Geelong	Refers to the Young Men’s Christian Association of Geelong Inc. (YMCA Geelong Inc.) and all of its subsidiaries, and also YMCA Geelong & District YMCA Youth Services.

5. SCOPE

The Photography and Filming Policy is binding on all employees, user groups, hire group and members of YMCA Geelong Gymnastics Club, YMCA Basketball Club and YMCA Judo or any other Club /Auspice of Young Men’s Christian Association of Geelong Inc. (YMCA Geelong Inc.)

6. ROLES AND RESPONSIBILITIES

Department/Area	Role/Responsibility
Senior Management Team/CEO	Responsible for reviewing and updating the Photography and Filming policy, and supporting resources. Responsible for providing advice in the application of this Policy in accordance with agreed HR service levels.
Managers and Supervisors	Responsible for addressing any instance of conduct that is below outside the policy standards and ensure that the policy is implemented as it is intended to protect the privacy and safety of our participants.
All Employees (including Managers and Supervisors)	Responsible for adhering to the requirements of the policy. Responsible for monitoring that user groups, hire groups, parents and guardians adhere to the Policy.
Parents/guardians/Participants	Authorise or not Authorise YMCA employees with consent to collect, use and publish images. Provide update information to the YMCA in writing of any changes to the status of consent/non consent to photographer and filming at the YMCA. Adhere to the Policy as it is intended.

7. MONITORING, EVALUATION AND REVIEW

The YMCA Geelong Senior Management Team is responsible for formally reviewing and updating this policy on a bi-annual basis. However, small changes and additions may be made outside of the formal bi-annual review to ensure the policy remains relevant and current.

The Policy once approved or updated will be published in www.geelong.ymca.org.au and referenced in program handbooks and staff and volunteer handbooks.

Manager/supervisors/employees/volunteers are responsible for complying with this policy.

8. SUPPORTING DOCUMENTS (LINKS TO PROCEDURES, LEGISLATION, FORMS, WORK PRACTICES)

This Policy is supported by a number of YMCA policies that ensure the privacy and safety of our patrons and guests.

Please find a list of related documents below:

- Code of Conduct Policy
- Safeguarding Children and Young People Policy & Procedures
- Digital Device & Usage Policy
- Privacy Policy

9. DOCUMENT HISTORY

Approved by:CEO (SMT)

Meeting number and date: 23/08/2017

Resolution number:

Effective date: 23/08/2017

Review date:20/08/2019

Policy Owner: Chief Executive Officer

Contact Details policy owner: geelong@ymca.org.au; 5221 8344

Amendment history:

Version	Date	Author	Change Description
V1	20/08/2017	Shona Eland	Policy developed in consultation and after reviewing YMCA Geelong Gymnastics Management Team, members feedback, Aquatic Industry, Australian Childhood Foundation, Department of Education and Training, Gymnastics Victoria policies and practices and consolidating the practices in YMCA Geelong Code of Conduct, Safeguarding children and young people policy and procedures, social media policy and Digital Device Usage Policy in to one policy.

As adopted by the YMCA Geelong on 29/08/2017



Chief Executive Officer YMCA Geelong Inc